

Docket No.: 284302US6PCT/mca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Roger LE COMTE ALLOWED: JUNE 24, 2011

SERIAL NUMBER: 10/564,784 GROUP: 1773

FILED: May 22, 2006 EXAMINER: HANDY, DWAYNE K

FOR: QUALITY CONTROL DEVICE FOR A BLOOD ANALYSER USING WHOLE
BLOOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

Applicant acknowledges with appreciation the indication of allowability of the claimed invention. In response to the Examiner's statement enclosed with the Notice of Allowance of June 24, 2011, Applicant respectfully submits the following comments.

In the Examiner's statement enclosed with the Notice of Allowance, on page 2, paragraph 2 states in part:

2. The following is an examiner's statement of reasons for allowance:

Claim 19 recites a blood analyzer comprised of an analyzing means, means for storing control bloods by refrigeration, means for heating the control bloods, means for sampling the control bloods . . . Claim 38 recites a blood analyzer comprised of an analyzing unit, a storing unit that refrigerates control bloods, a heating unit for heating the control bloods, a sampling unit which samples the control bloods . . .

It is respectfully noted that independent Claims 19 and 38 do not include the language recited above. For example, Claims 19 and 38 recite "means for restoring the control bloods

to a temperature prescribed by a manufacturer of the control bloods” and does not include the specific language quoted above of “means for heating the control bloods”.

Accordingly, it is respectfully submitted that the above-quoted statement does not apply to Claims 19 and 38 to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

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